



UNITED STATES PATENT AND TRADEMARK OFFICE

A/b
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,968	04/27/2001	Joseph P. Scannell	USB-001.02	1661

25181 7590 07/25/2002

FOLEY HOAG LLP
PATENT GROUP, WORLD TRADE CENTER WEST
155 SEAPORT BOULEVARD
BOSTON, MA 02110-2600

EXAMINER

LE, TOAN M

ART UNIT	PAPER NUMBER
----------	--------------

2862

DATE MAILED: 07/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,968

Applicant(s)

SCANNELL, JOSEPH P.

Examiner

Toan M Le

Art Unit

2862

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claims 1-6, 8-9, 11-13, and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Nevo et al..

As to claim 1, Nevo et al. discloses a computer system 15 to present to a user data about the condition of a hydrological structure (col. 3, line 51) comprising: a database 15 for receiving and storing data about the structure; at least one data source 12 for providing data about the structure; a communication net work for transmitting the data about the structure from the data source to the database and for transmitting from the database to a user and a user interface for presenting to the user the data transmitted from the database (col. 5, lines 35-47; figure 1).

Referring to claims 2-3, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the data source provides hydrological data, meteorological data, or structural data; and the interface presents hydrological data, meteorological data, structural data, environmental data, geographical data, or device data (col. 3, lines 44-52).

As to claim 4, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the interface receives and displays real-time data from the data source (abstract, lines 1-4 and 9-14).

Referring to claim 5, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the data source provides environmental

Art Unit: 2862

data selected from the group consisting of soil, vegetarian, river, hydrological, coastal, tidal, and seismic data (col. 3, lines 44-52; and col. 5, lines 9-39).

As to claim 6, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the data source provides meteorological data selected from the group consisting of radar, tide, snow and warning data (col. 3, lines 3-13, lines 44-52, and lines 59-63; col. 4, lines 40-53).

Referring to claims 8-9, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the interface presents data from first and second data sources and displays a graphical representation of data from the first data source onto data from the second data source (figures 5-7).

As to claims 11-12, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure comprising a means for prioritizing the data, a means for presenting a warning signal to a user (col. 3, lines 3-13), and a means for presenting a warning signal is a telephone call, an e-mail, a pager, a fax or an instant message (col. 5, lines 43-46).

Referring to claims 13 and 15, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure further comprising a means for setting a threshold on the data such that when the data exceeds the threshold a high warning signal is sent to the user or a central site (col. 3, lines 2-13).

As to claims 16-17, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure further comprising a means for calculating risk probability prioritizing deployment of emergency personnel in response to a threshold warning

Art Unit: 2862

and a means for calculating risk probability uses a weighted risk function to create a ranking of risk probability (col. 7, lines 36-52).

Referring to claim 18, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein a user profile determines the data to be presented to the user (col. 5, lines 54-61).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nevo et al..

Referring to claim 7, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the data source provides structural data (col. 3, line 51).

Nevo et al. does not disclose in detail the structural data selected from the group consisting of structural detail, attributes, plans, inspection reports, maintenance memos and bridge history data.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the structural data selected from the group consisting of structural detail, attributes, plans, inspection reports, maintenance memos and bridge history data to anticipate and possibly avoid future adverse developments due to environmental changes.

Claims 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nevo et al. in view of Orr et al..

Referring to claims 10 and 14, Nevo et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the user interface comprises: a data map showing a meteorological condition (figures 5-6), a general map of an area (figure 7), and a comparative chart of a threshold for the area that has caused a warning signal to be sent and a normal or expected data for the area (col. 7, lines 36-52).

Nevo et al. does not disclose a computer system to present to a user data about the condition of a hydrological structure wherein the user interface comprises a map showing the location of a structure, other hydrological structures waterways, and a second map showing detail such as the population density, detouring options for traveling public, emergency facilities, existing evacuation routes, and real-time location of safety personnel responding to the event.

Orr et al. discloses a computer system to present to a user data about the condition of a hydrological structure wherein the user interface comprises a map showing the location of a structure, other hydrological structures waterways, and a second map showing detail such as the population density, detouring options for traveling public, emergency facilities, existing evacuation routes, and real-time location of safety personnel responding to the event (col. 5, lines 61-67; and col. 6, lines 1-16).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have added a map showing the location of a structure, other hydrological structures waterways, and a second map showing detail such as the population density, detouring options for traveling public, emergency facilities, existing evacuation routes,

Art Unit: 2862

and real-time location of safety personnel responding to the event as described in the Orr et al. reference into the system of Nevo et al. to save lives and minimize the public risk.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan M Le whose telephone number is (703)305-4016. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (703)305-4816. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9318 for regular communications and (703)872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-0956.

Toan Le

July 17, 2002


EDWARD LEFKOWITZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800